

X:\cases\CP52319\lm\LEGAL\SMH\Notice of Adoption  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

-----X  
EMENEGILDO ESPEJO,

Plaintiff,

-against-

CROWN BROADWAY, LLC, CROWN  
PROPERTIES, INC., 120 BROADWAY, LLC,  
120 BROADWAY PROPERTIES, LLC,  
SILVERSTEIN PROPERTIES, INC., 120  
BROADWAY HOLDING, LLC, AMERICAN  
INTERNATIONAL REALTY CORP., RECTOR OF  
TRINITY CHURCH, BROOKFIELD FINANCIAL  
PROPERTIES, LP, BLACKMON-MOORING-  
STEAMATIC CATASTROPHE, NC, d/b/a BMS CAT,

Defendant.  
-----X

DOCKET NO.  
07 CIV 8311

NOTICE OF ADOPTION  
OF CHECK-OFF  
COMPLAINT RELATED  
TO THE MASTER  
COMPLAINT

**(FILED ELECTRONICALLY)**

PLEASE TAKE NOTICE that defendants, CROWN BROADWAY, LLC and CROWN PROPERTIES, INC. ("CROWN"), as and for its response to the allegations set forth in the Complaint by adoption or Check-Off Complaint related to the Master Complaint filed herein and applicable to the above-captioned matter hereby adopts all of the responses and all of the affirmative defenses contained in the Answer to the Master Complaint dated, filed and served September 21, 2007, *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21MC 102 (AKH). The responses to all of the allegations in the Master Complaint are adopted herein and are applicable to the Check-Off Complaint served and filed herein. Defendants, CROWN, also adopt the responses contained in any Amended Answer filed and served herein.

PLEASE TAKE FURTHER NOTICE that defendants, CROWN, reserve the right to serve and file an amended answer and specifically reserves the right to interpose a cross claim against any and all co-defendants.

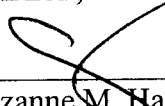
PLEASE TAKE FURTHER NOTICE that defendants, CROWN, also adopt all affirmative defenses and jury demand herein.

WHEREFORE, CROWN, demands judgment dismissing the above-captioned action as against each of them, together with their costs and disbursements.

Dated: New York, New York  
March 12, 2008

Yours, etc.,

BARRY, McTIERNAN & MOORE

By:   
Suzanne M. Halbardier  
Attorneys for Defendants  
CROWN BROADWAY, LLC and  
CROWN PROPERTIES, INC.  
2 Rector Street, 14<sup>th</sup> Floor  
New York, NY 10006  
(212) 313-3600

TO: OSHMEN & MIRISOLA, LLP  
Attorneys for Plaintiff  
42 Broadway, 10<sup>th</sup> Floor  
New York, NY 10004  
(212) 233-2100

***AFFIDAVIT OF SERVICE***

STATE OF NEW YORK     )  
                                      ) §:  
COUNTY OF NEW YORK    )

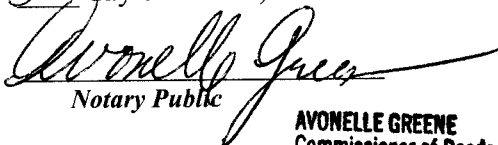
**La VERNE McHENRY**, being duly sworn, deposes and says: I am not a party to this action, am over 18 years of age and reside in Brooklyn, New York.

That on the 13<sup>th</sup> day of March, 2008 a true copy of the annexed **NOTICE OF ADOPTION** was served in the following manner upon:

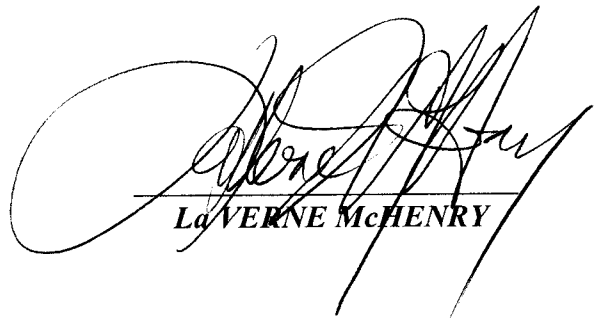
OSHMEN & MIRISOLA, LLP  
Attorneys for Plaintiff  
42 Broadway, 10<sup>th</sup> Floor  
New York, NY 10004

by mailing the same in a sealed envelope, with postage prepaid thereon, in a post-office or official depository of the U.S. Postal Service within the State of New York, addressed to the last known address of the addressee(s) as indicated above.

Sworn to before me this  
13<sup>th</sup> day of March, 2008.

  
Notary Public

**AVONELLE GREENE**  
Commissioner of Deeds City of New York  
No. 3-6955  
Qualified in New York County  
Commission Expires July 1, 09

  
**La VERNE McHENRY**

21 MC 102 (AKH)  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**NOTICE OF ADOPTION**

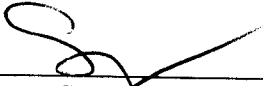
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**PLEASE TAKE NOTICE**

[ ]  
notice of entry            that the within is a (certified) true copy of an  
                                 entered in the office of the clerk of the within named Court on \_\_\_\_\_.

[ ]  
notice of settlement    that a Proposed Order of which the within is a true copy will be presented  
                                 for settlement before the Honorable \_\_\_\_\_ one of the judges of  
                                 the within named Supreme Court, \_\_\_\_\_ County, \_\_\_\_\_,  
                                 at 9:30 a.m. on the \_\_\_\_ day of \_\_\_\_\_.

Dated: New York, New York  
March 12, 2008

  
\_\_\_\_\_  
Suzanne M. Halbardier, Esq.  
**BARRY, McTIERNAN & MOORE**  
Attorneys for Defendant  
**CROWN PROPERTIES, INC.**  
2 Rector Street - 14<sup>th</sup> Floor  
New York, New York 10006  
(212) 313-3600  
File No.: CP52319